THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2357 of 2007

Dated:09.02.2007

Between:

Randhi Sanyasi Naidu and another.

...Petitioners

and

The Mandal Revenue Officer and others.

...Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2357 of 2007

ORDER:

The fourth respondent made an application to the Mandal Revenue Officer, first respondent herein, questioning the sales transaction in respect of lands in Survey Nos.141 (Acs.14.73 cents), 144 (Acs.14.96 cents) and 145 (Acs.32.08 cents) situated at Kotha Velagada Village. The first respondent issued a notice of enquiry to the petitioners, and the enquiry was posted on 03.01.2007. On that day it was adjourned to 19.01.2007. The petitioners appeared and filed vakalat. The matter was adjourned again to 27.01.2007. It is the grievance of the petitioners that the case was not listed on that day. However, purporting to take action on the two applications filed by respondents 4 to 6 on 22.11.2005, the first respondent is intending to issue pattadar pass books and title deeds to respondents 4 to 6. Aggrieved by the same, the present Writ Petition is filed questioning the action of the first respondent in issuing the urgent notice dated 03.01.2007.

Learned Counsel for the petitioners submits that when already enquiry is being conducted at the instance of the fourth respondent into various sales transactions, without completing such enquiry, the first respondent cannot issue pattadar pass books/title deeds. He, however, does not dispute that enquiry is still pending.

The Writ Petition, as framed, is wholly misconceived. When enquiry is already pending before the first respondent, the allegation that pattadar pass books and title deeds are

likely to be issued to respondents 4 to 6 is misconceived. Even if such action is contemplated, the petitioners are not without any remedy. Against issue of pattadar pass books, they can as well prefer an appeal under Section 5(5) of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971. If the petitioners are apprehensive of such action of the first respondent, they may move an application before the first respondent for expeditious disposal of the enquiry.

The Writ Petition is wholly misconceived, and is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

09.02.2007
vs